

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CANTALOUPE, INC.,  
*Plaintiff*

v.

AXIS INSURANCE COMPANY,  
*Defendant*

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CIVIL ACTION

No. 22-030

**ORDER**

AND NOW, this 28<sup>th</sup> day of November, 2023, upon consideration of Axis Insurance Company's Motion for Summary Judgment (Docs. No. 28, 50),<sup>1</sup> all responses and replies thereto, oral argument heard on September 15, 2023, and for the reasons set forth in the accompanying memorandum, it is hereby **ORDERED** that the Motion (Docs. No. 28, 50) is **GRANTED** as to Counts II and III and **DENIED** as to Count I.

BY THE COURT:

  
GENE E.K. PRATTER  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup> Axis filed a second, identical motion for summary judgment (Doc. No. 50) to comply with this Court's Order denying Axis's Motion to Seal.